# Wissenschaftslehre Aff

## Framework

### Primary Syllogism

#### All thought, either practical or theoretical begins with and is permeated by a transcendental self-positing of the ‘I’ or the self. Such a self-positing is always already present when engaged in any activity.

Wood summarizes Fichte, Allen W. "Fichte's Philosophy of Right and Ethics," forthcoming in Günter Zöller (ed). The Cambridge Companion to Fichte. New York: Cambridge University Press. NP 4/15/17.

Fichte's Wissenschaftslehre is a "science of science as such" (GA I/2:117-118, EW 105-106). It is grounded on a principle which is claimed to be absolutely certain, and to convey the same certainty to the propositions grounded on it (GA I/2:116, EW 104). The absolutely first principle of the Wissenschaftslehre is the 'I'. It is chosen for its simplicity as well as its certainty, but it turns out to be more complex than it seems. Every act of awareness, Fichte maintains, involves an awareness of the I. "No object comes to consciousness except under the condition that I am aware of myself, the conscious subject" (GA I/4:274-275). Fichte seems to have in mind here what Sartre was later to call the "pre-reflective" or "non-positional" self-consciousness we have even when our attention is focused on objects entirely distinct from the self. If I am reading a novel, for example, my attention is not on myself (or my reading activity) but on the characters in the story, and what they are doing. But if my reading is interrupted by someone asking me what I am doing, I reply immediately that I am (and have for some time been) reading; and the self-awareness on the basis of which I answer the question is not something acquired at just that moment but a consciousness of myself which has been present to me all along. For Fichte what is crucial about this awareness is not only its ubiquity and certainty, but equally the fact that it is an awareness of activity, which is present in our most passive states of perception. In every thought "you directly note activity and freedom in this thinking, in this transition from thinking the I to thinking the table, the walls, etc. Your thinking is for you an acting" (GA I/4:271-272). What Fichte means by 'I', regarded as the absolute principle of all philosophy, is nothing but this awareness of our own activity, which is an inevitable ingredient in any awareness and provides us with an ineluctable consciousness of our freedom. The 'I', then, is for Fichte the absolute foundation of philosophy because it is simultaneously the transcendental unity of apperception on which Kant based the possibility of theoretical cognition and the postulate of freedom which was the foundation of practical philosophy.

#### Not only is the present ‘I’ inescapable, but it is the only shared feature between theoretical and practical reason. Thus, only by grounding reason in the postulation of the ‘I’ can theoretical and practical reason be unified. This is a transcendental condition for ethics – only by practical philosophy can we act, and only by theoretical reason can we situate that act in the world.

#### However, because self-awareness is present in any thought, there can be no first moment of consciousness as consciousness is always already presupposed. Just as you cannot have a reason to start reasoning, as you would already have to reason for that reason to occur, so only something conscious can be the source of consciousness. This means the object of our consciousness must itself be conscious.

Fichte. Foundations of Natural Right According to the Principles of the Wissenschaftslehre, ed. Frederick Neuhouser, tr. Michael Baur. Cambridge University Press, 2000;

(I) (a) According to the proof conducted above (§1), the rational being cannot posit (perceive and comprehend) an object without simultaneously – in the same, undivided synthesis – ascribing an efficacy to itself. (b) But it cannot ascribe an efficacy to itself without having posited an object upon which such efficacy is supposed to be exercised. The positing of the object as something that is determined through itself, and thus as something that constrains the rational being’s free activity, must be posited in a prior moment in time; it is only through this prior moment that the moment in which one grasps the concept of efficacy becomes the present moment. (c) Any act of comprehension is conditioned by a positing of the rational being’s own efficacy; and all efficacy is conditioned by some prior act of comprehension by the rational being. Therefore, every possible moment of consciousness is conditioned by a prior moment of consciousness, and so the explanation of the possibility of consciousness already presupposes consciousness as real. Consciousness can be explained only circularly, thus it cannot be explained at all, and so it appears to be impossible. Our task was to show how self-consciousness is possible. In response to that task, we answered: self-consciousness is possible if the rational being can – in one and the same undivided moment – ascribe an efficacy to itself and posit something in opposition to that efficacy. Let us suppose that this occurs at some moment, Z. Now the further question is: under what condition is this required occurrence possible? And then it immediately becomes clear that the efficacy to be posited can be posited only in relation to some particular object, A, towards which the efficacy is directed. It would be wrong to say that perhaps an efficacy in general, a merely possible efficacy, could be posited here; for that would amount to an indeterminate thought, and the practice of arguing from general presuppositions may well have already done enough damage to philosophy for the time being. A merely possible efficacy, or an efficacy in general, is posited only by abstracting from some particular, or from all actual, efficacy; but before one can abstract from something, the thing must be posited, and here – as always – the indeterminate concept of something in general is preceded by a determinate concept of a determinate something as actual, and the former is conditioned by the latter. – It would be equally wrong to say that the efficacy can be posited as an efficacy directed at some object, B (which is also to be posited at moment Z), for B is posited as an object only insofar as there is no efficacy being exercised upon it. Accordingly, the moment Z must be explained on the basis of another moment in which the object, A, is posited and comprehended. But A, too, can be comprehended only under the condition that made it possible for B to be comprehended; that is to say, the moment in which A is comprehended is also possible only under the condition of a preceding moment, and so on ad infinitum. We have not found any possible moment in which we might attach the thread of self-consciousness (through which alone all consciousness becomes possible), and thus our task is not solved. For the sake of understanding the entire science to be established here, it is important that one achieve a clear insight into the reasoning just presented. (II) The reason the possibility of self-consciousness cannot be explained without always presupposing it as already actual lies in the fact that, in order to be able to posit its own efficacy, the subject of self-consciousness must have already posited an object, simply as an object. This is why we were always driven beyond the moment within which we wanted to attach the thread of self-consciousness to a prior moment, where the thread already had to be attached. The reason for the impossibility of explaining self-consciousness must be canceled. But it can be canceled only if it is assumed that the subject’s efficacy is synthetically unified with the object in one and the same moment, that the subject’s efficacy is itself the object that is perceived and comprehended, and that the object is nothing other than the subject’s efficacy (and thus that the two are the same). Only with such a synthesis can we avoid being driven to a preceding one; this synthesis alone contains within itself everything that conditions self-consciousness and provides a point at which the thread of self-consciousness can be attached. It is only under this condition that self-consciousness is possible. Therefore, as surely as self-consciousness occurs, so must we accept the synthesis that has just been hypothesized. Thus the strict synthetic proof is complete; for the synthesis that we have described has been substantiated as the absolute condition of self-consciousness. The only remaining questions concern what, then, the hypothesized synthesis might mean, what is to be understood by it, and how what it requires is possible. Thus from now on our task is simply to analyze further what has been demonstrated.

#### And this synthesis can only be provided by the summons of another a rational subjected located outside of oneself.

Fichte 2. Foundations of Natural Right According to the Principles of the Wissenschaftslehre, ed. Frederick Neuhouser, tr. Michael Baur. Cambridge University Press, 2000;

(III) It seems that the synthesis suggested here presents us with a complete contradiction in place of the mere incomprehensibility that it was supposed to eliminate. The synthesis is supposed to yield an object; but the nature of an object is such that, when it is comprehended by a subject, the subject’s free activity is posited as constrained. But this object is supposed to be the subject’s own efficacy; however, the nature of the subject’s efficacy is to be absolutely free and self-determining. Both are supposed to be unified here; the natures of both object and subject are supposed to be preserved without either being lost. How might this be possible? Both are completely unified if we think of the subject’s being-determined as its being-determined to be self-determining, i.e. as a summons [eine Aufforderung] to the subject, calling upon it to resolve to exercise its efficacy. Since what is required here is an object, it must be given in sensation, and in outer, not inner, sensation: for all inner sensation arises only through the reproduction of outer sensation; the former therefore presupposes the latter; thus if one were to assume that the object is given in inner sensation, then, once again, one would be presupposing self-consciousness as actual; but it is the possibility of self-consciousness that is supposed to be explained. – But the object is not comprehended, and cannot be other than as a bare summons calling upon the subject to act. Thus as surely as the subject comprehends the object, so too does it possess the concept of its own freedom and self-activity, and indeed as a concept given to it from the outside. It acquires the concept of its own free efficacy, not as something that exists in the present moment (for that would be a genuine contradiction), but rather as something that ought to exist in the future. (The question before us was: how can the subject find itself as an object? In order to find itself, it would have to find itself as only self-active; otherwise, it would not find itself; and, since it does not find anything at all unless it exists, and does not exist unless it finds itself, it follows that it would not find anything at all. In order to find itself as an object (of its reflection), it would have to find itself, not as determining itself to be self-active – the question here is not how the issue might be in itself from the transcendental point of view, but only how it must appear to the subject under investigation – , but rather as determined to be self-active by means of an external check [Anstoß], which must nevertheless leave the subject in full possession of its freedom to be self-determining: for otherwise, the first point would be lost, and the subject would not find itself as an I. In order to make this last point clearer, I shall anticipate a few points that will come up again later. The subject cannot find itself necessitated to do anything, not even to act in general; for then it would not be free, nor an I. Even less can it, if it is to resolve to act, find itself necessitated to act in this or that particular way; for then, once again, it would not be free nor an I. How and in what sense, then, must the subject be determined to exercise its efficacy, if it is to find itself as an object? Only insofar as it finds itself as something that could exercise its efficacy, as something that is summoned to exercise its efficacy but that can just as well refrain from doing so.)

#### Because each agent is constituted by the free agency of others, there is a transcendental requirement of mutual freedom that grounds the possibility of just relations. Respect for this mutual freedom requires recognition of equal, individual spheres of action. Just as I can control my body, so I must respect your right to control yours.

Fichte 3. Foundations of Natural Right According to the Principles of the Wissenschaftslehre, ed. Frederick Neuhouser, tr. Michael Baur. Cambridge University Press, 2000;

(I) The subject must distinguish itself, through opposition, from the rational being that (as a consequence of the preceding proof) it has assumed to exist outside itself. The subject has now posited itself as containing within itself the ultimate ground of something that exists within it (this was the condition of I-hood, of rationality in general); but it has likewise posited a being outside itself as the ultimate ground of this something that exists within it. The subject is supposed to be able to distinguish itself from this being. In accordance with our presupposition, this is possible only under the condition that the subject can distinguish between how much the ground of the given something lies within it, and how much that ground lies outside it. With regard to form, i.e. with regard to the fact that there is activity at all, the ground of the subject’s efficacy lies simultaneously within itself and in the being outside itself. If the external being had not exercised its efficacy and thus had not summoned the subject to exercise its efficacy, then the subject itself would not have exercised its efficacy. The subject’s activity as such is conditioned by the activity of the being outside it. It is also conditioned with regard to its content; a particular sphere is allotted to the subject as the sphere of its possible activity. But within the sphere allotted to it, the subject has freely chosen; it has absolutely given to itself the nearest limiting determination of its own activity; and the ground of this latter determination of the subject’s efficacy lies entirely within the subject alone. Only in this way can the subject posit itself as an absolutely free being, as the sole ground of something; only in this way can it separate itself completely from the free being outside it and ascribe its efficacy to itself alone. Within this sphere, that is, from the outer limit of the product of the being outside it, X, to the outer limit of its own product, Y, the subject has chosen from among the possibilities contained in the sphere: the subject constitutes its own freedom and independence out of these possibilities and by comprehending them as the sum of the possibilities that it could have chosen. Within the sphere just described, a choice had to be made if the product, Y, was to become possible as something individuated among all the possible effects given by this sphere. But within this sphere, only the subject could have chosen, and not the other; for, according to our presupposition, the other being has left this sphere undetermined. That which alone made a choice within this sphere is the subject’s I, the individual, the rational being that becomes determinate through opposition to another rational being; and this individual is characterized by a determinate expression of freedom belonging exclusively to it. (II) In this process of distinguishing through opposition, the subject acts in such a way that the concept of itself as a free being and the concept of the rational being outside it (as a free being like itself) are mutually determined and conditioned. There can be no opposition, unless in the same undivided moment of reflection the sides that are opposed are also posited as equal, related to each other, and compared with one another. This is a formal theoretical proposition, which has been rigorously proved in the appropriate place, but which, I hope, might be plausible to healthy common sense, even without proof. We shall apply this proposition here. The subject determines itself as an individual, and as a free individual, by means of the sphere within which it has chosen one from among all the possible actions given within that sphere; and it posits, in opposition to itself, another individual outside of itself that is determined by means of another sphere within which it has chosen. Thus the subject posits both spheres at the same time, and only through such positing is the required opposition possible. The being outside the subject is posited as free, and thus as a being that could also have overstepped the sphere that presently determines it, and could have overstepped it such that the subject would be deprived of its ability to act freely. But the being outside the subject did not freely overstep this sphere; therefore, it materially limited its freedom through itself; that is, it limited the sphere of those actions that were possible for it by virtue of its formal freedom. All this is necessarily posited in the subject’s act of opposing itself to another rational being – as is everything else we shall yet establish (without, for the sake of brevity, repeating the present reminder). Furthermore, through its action, the being outside the subject has – in accordance with our presupposition – summoned the latter to act freely; thus it has limited its freedom through a concept of an end in which the subject’s freedom is presupposed (even if only problematically); thus it has limited its freedom through the concept of the subject’s (formal) freedom. Now the subject’s cognition of the other being as rational and free is conditioned first by the other being’s self-limitation. For – in accordance with our proof – the subject has posited a free being outside itself only in consequence of the other being’s summons to the subject to engage in free activity, and thus only in consequence of the other being’s self-limitation. But this being’s self-limitation was conditioned by its own (at least problematic) cognition of the subject as a possibly free being. Thus the subject’s concept of the other being as free is conditioned by the same concept this being has of the subject and by this being’s action, which is determined by its concept of the subject. Conversely, the actualization of the other being’s categorical knowledge of the subject as free is conditioned by the subject’s own knowledge and by its acting in accordance with such knowledge. If the subject had no knowledge of a free being outside itself, then something that ought to have occurred, in accordance with the laws of reason, would not have occurred, and the subject would not be rational. Or if such knowledge did indeed arise in the subject, but the subject did not limit its freedom as a result of this knowledge so as to allow the other the possibility of acting freely as well, then the other could not infer that the subject was a rational being, since such an inference becomes necessary only by virtue of the subject’s self-limitation. Thus the relation of free beings to one another is necessarily determined in the following way, and is posited as thus determined: one individual’s knowledge of the other is conditioned by the fact that the other treats the first as a free being (i.e. limits its freedom through the concept of the freedom of the first). But this manner of treatment is conditioned by the first’s treatment of the other; and the first’s treatment of the other is conditioned by the other’s treatment and knowledge of the first, and so on ad infinitum. Thus the relation of free beings to one another is a relation of reciprocal interaction through intelligence and freedom. One cannot recognize the other if both do not mutually recognize each other; and one cannot treat the other as a free being, if both do not mutually treat each other as free.

#### Thus, the standard is mutual consistency with the freedom of others. Clarification:

#### First, acting in accordance with mutual freedom is a necessary, not contingent, property of actions. For example, slavery isn’t contingently wrong based on how well the slave is treated or contingent economic benefits. Slavery denies the equal freedom of participants and so is wrong necessarily.

#### Second, the aff is a question of right relationships, not ethics wholesale. Thus, it’s a prior question to assessing the good and bad of actions in isolation. This also means your Kant arguments do not turn the framework.

**Breazeale**, Dan, "Johann Gottlieb Fichte", The Stanford Encyclopedia of Philosophy (Spring 2014 Edition), Edward N. Zalta (ed.), URL = <https://plato.stanford.edu/archives/spr2014/entries/johann-fichte/>.

Unlike Kant, Fichte does not treat political philosophy merely as a subdivision of moral theory. On the contrary, it is an independent philosophical discipline with a topic and a priori principles of its own. Whereas ethics analyzes the concept of what is demanded of a freely willing subject, the theory of right describes what such a subject is permitted to do (as well as what he can rightfully be coerced to do). Whereas ethics is concerned with the inner world of conscience, the theory of right is concerned only with the external, public realm, though only insofar as the latter can be viewed as an embodiment of freedom.

#### Additionally prefer the standard as only this system can allow us to incorporate desire into a theory of motivation without undermining the notion of free action.

#### The I must be the foundation of philosophy – all desires stem from the striving of an I towards freedom – this requires an intersubjective account of ethics that limits the I’s activity through mutual recognition and restraint

Wood summarizes and quotes Fichte, Allen W. "Fichte's Philosophy of Right and Ethics," forthcoming in Günter Zöller (ed). The Cambridge Companion to Fichte. New York: Cambridge University Press. NP 4/15/17.

In Fichte's transcendental use of the term, 'I' refers not to a thing but to an activity which, from the standpoint of transcendental idealism, is the foundation of all philosophy. The very concept of a thing is founded on the not-I, which must be counterposited in order that the I may reflect on itself and form a concept of itself. But to say that the I is an activity means not only that it is a doing we observe, but also that it is a doing we are engaged in, in other words, it is not only an action which is done, but an action which is to be done, or which should be done. 'I' is therefore not only a conception of what I am but even more of what I ought to be. In every awareness of the 'I', I find myself active in the objective world counterposited to the I (GA I/2:393-395, SK 227-230; I/5:22). In other words, the I "finds itself" only as "willing" (GA I/5:37). If reflecting is a "centripetal" activity, in which the I "returns into itself," willing by contrast is a "centrifugal" activity, which seeks to posit the I, to expand its domain in the not-I. Taken by itself, it would abolish the not-I (GA I/2:301). But since this would be to abolish the condition for the possibility of the I itself, this activity must be regarded as a "causality which is not a causality," or in other words an infinite "striving" with no determinate end or point of satisfaction, which is, however, the condition of the possibility of any object or any determinate desire (GA I/2:397, SK 231). Fichte locates this insatiable striving in the organic body which, in reciprocal interaction with the external world, is a condition of the I's possibility. Consciousness of this indeterminate striving is "longing" (Sehnen), but any determinate form it assumes is called "desire" and the immediate sensuous experience of such a desire is called a "drive" (GA I/5:118-123). Desire in general is directed outward at objects, seeking to abolish their independence, yet not by destroying them but rather by making them conform to the I, or to its "practical concepts" of what they ought to be, assigning to each object its "final end" (GA I/2:396, SK 230; I/3:31-32, EW 150-151; I/5:158-160). Desire for Fichte takes two forms: one of them particular, involving feelings produced by sensuous encounter with specific objects and aiming at determinate ends, the other ideal, aiming at the absolute freedom or self-sufficiency of the I: this is a "tendency to self-activity for the sake of self-activity," or "an absolute tendency to the absolute" (GA I/5:45). The former sort of desire might be compared to the Kantian conception of inclination or empirical desire, the latter to Kantian autonomy or moral agency. But this comparison itself, if we pursue it a step further, will enable us to see some fundamental differences between Kant and Fichte. For if self-legislation is for Kant an essential capacity of the free and rational self, for the striving for absolute self-activity for Fichte is the condition for there to be an I at all. I can regard myself as an I only to the extent that I understand myself in terms of the task of absolute self-activity. Inclinations for Kant are a contingent addition (or encumbrance) to the freedom of a rational being, falling outside its self-legislation and constituting a whole of satisfaction independently of the moral law under the name of "happiness". For Fichte, however, empirical desires are only limited manifestations of the I's fundamental tendency to freedom. In their partiality and objective passivity they may constitute a resistance to the moral impulse, but at bottom they are manifestations of it and hence in their totality they cannot be opposed to it. For this reason, Fichte rejects the Kantian position that morality and happiness are ultimately opposed, and adheres to the more stoic position that although morality may be opposed to particular sensuous desires, it cannot be opposed to happiness as a whole: "Only what his good makes us happy. No happiness is possible apart from morality" (GA I/3:32). The I's most fundamental drive is to make itself into what it is, to be what it is solely through its own activity: "Who am I, then, authentically? That is, what sort of individual? And what is the ground of my being this? In answer: From the moment I become self-conscious I am the one I make myself to be through freedom, and I am this one because I make myself into this one" (GA I/5:202). The I is a drive which seeks both to limit or determine itself (to be a particular individual) and also to be this through its complete freedom. Fichte sometimes anticipates Sartre here: the I exists before it has an essence: "the free is to be before it is determinate," and what it is, is the task of giving itself determinacy, or positing its own essence (GA I/5:51). The principle of morality is: "Always fulfill your Bestimmung" (GA I/5:141). But this could mean either: "Fulfill your vocation or calling" or "Fulfill your determinacy," i.e. "Be a determinate individual I, the one you really are." What this means is that a concept of myself as a free being is essentially a normative conception of myself: For me to be a determinate entity and at the same time free, I must conceive of myself as subject to demands, so that certain free activities are conceived as proper to me, and others excluded as not truly mine -- not in the sense that I can't perform them, but rather in the sense that I ought not, because if I do so I am not living up to what I am. Or as Fichte also puts it: the I which is formally free in always having the ability to do otherwise than it does, achieves freedom in a different sense, material freedom, by actions that bring its empirical I into harmony with what I truly am, the pure or ideal or absolute I (GA I/5:132, 140; I/3:30, EW 149; I/2:399, SK 233). But "what I am" here does not mean some "nature" I was born with, some metaphysical essence which, as a natural given, it is my task to "actualize". On the contrary, the self which is normative for me is an 'I', that is, an activity of freedom; the ideal with which I ought to harmonize must be my own free creation. These reflections led some of Fichte's first followers, the Romantics, as well as some of his twentieth century descendants, the existentialists, in what might be called an "antinomian" direction: away from determinate moral laws or any objectively sharable moral standards, and to a purely subjectivist conception of morality, which emphasizes individual idiosyncrasy and likens moral action to artistic creativity, as Foucault has also done. Fichte avoids this path, and for good reasons. Fichte insists that the freedom of the I requires determinacy: it must be something that can be grasped as a whole in a determinate concept. Thus the I's fundamental drive is the "drive for the whole I" (GA I/5:54). It is a "drive toward absolute unity, completeness of the I within itself" (GA I/2:449, SK 284). "The ultimate characteristic of all rational beings is, accordingly, absolute unity, constant self-identity, complete agreement with oneself. This absolute identity is the form of the pure I" (GA I/3:30, EW 149). The I must not think (like Kierkegaard's Romantic aesthete) that it actualizes its freedom by dispersing itself among fantastic possibilities or detaching itself ironically from what it actually is. On the contrary, the I's material freedom, even its reality as an I, depends on achieving unity with itself, above all unity with the determinate ideal it makes for itself. Here too, however, as in the theory of right, Fichte's reasoning turns on the I's intersubjectivity: its need for others in order to determine itself, even its demand to be in unity with others in order to acquire its own unity as a condition for its own determinacy. The argument Fichte most often presents is genetic in character, based on the conditions under which there can come to be an I with a determinate practical or normative concept of itself. I can learn to apply a normative conception to myself, in other words, to make demands on myself, only through "the imitation of an activity present at hand" (GA I/5:200).This original relation to the demands of others Fichte calls "education" (Bildung) (GA I/3:348). As Wildt has suggested, Fichte's theory of intersubjectivity anticipates the insight of developmental psychologists that people acquire the capacity to subject their conduct to norms only by internalizing the demands that others (such as their parents) have made on them. But it is not only genetically that Fichte regards intersubjectivity as essential to the determinacy of each individual's identity. Fichte also argues that as a rational being, the I necessarily wills that its practical concepts be actualized outside itself. This is done partially when objects conform to the I's practical concepts of them, but it can be done adequately only when there are other rational beings in whom material freedom is actualized: Thus a human being "necessarily wills not merely to actualize these concepts within himself but to see them actualized outside himself as well. One of the things that the human being requires is that rational beings like himself should exist outside him" (GA I/3:35-36, EW 155). The I is rational, or rather, it is reason itself. But reason is one, that is, all rational beings necessarily have the same final end and will freely according to the same principles (GA I/3:40, EW 159; I/5:208-210). Only on this condition can we reconcile the freedom of every I with the impulse of every I to make the external world conform to itself. That is, however individuals may differ, each I must fulfill its vocation or determinacy in a way that is in fundamental harmony with others (GA I/3:38, EW 156). Thus "the final and highest end of society is the complete unity and unanimity of all its members" (GA I/3:40, EW 159).

## Contentions

### Contention 1: Freedom of Thought

#### Maintaining mutual freedom requires an independence of thought. If individuals are able to occupy their own spheres then they must be able to control the content of those ends that they pursue. However, freedom of thought is null without freedom of speech.

Fichte 4 in the last year of the old darkness. Reclamation of the Freedom of Thought from the Princes of Europe, Who Have Oppressed It Until Now. Originally published anonymously in Danzig in the spring of 1793. The place and date of publication were given as "Heliopolis in the last year of the old darkness." NP 4/6/17.

To be able to think freely is the most notable distinction between human understanding and animal understanding. There are representations [Vor- stellungen] in the latter too, but they follow one another necessarily, they produce one another just as one movement in a machine necessarily pro- duces another movement. To resist actively this blind mechanism of the association of ideas, in which spirit is merely passive; to give a specific direction to the sequence of one's ideas according to one's own free will with one's own power; this is the privilege of [hu]man[ity], and the more he main- tains this privilege, the more of a man he is. The faculty in man through which he is capable of this superiority is also the faculty through which he freely wills. The expression of freedom in thought is just as much an internal constituent of his personality as the expression of freedom in volition. It is the necessary condition under which alone [s]he can say: I am, I am an independent being. The expression of freedom in both thought and volition ￼assures him [her] of his [her] connection with the spiritual world and brings [her] him into agreement with it; for not only unanimity in volition, but also unanimity in thought, shall rule in this invisible kingdom of God. Indeed, the expression of freedom of thought prepares us for the more continuous and stronger expression of freedom of the will. By the free subjugation of our prejudices and our opinions to the law of truth we first learn to bow down and grow mute before the idea of law in general. This law first tames our selfishness, which the moral law seeks to rule. Free and unselfish love of theoretical truth, because it is truth, is the most fruitful preparation for the moral purity of principles. This right, so intimately related to our personality and to our morality-this path to moral improvement, expressly laid out for us by the creating Wisdom-could we have surrendered it in the social contract? We would have had the right to alienate an inalienable right. Would our prom- ise to surrender have meant anything other than: "We promise through entry into your civil society to become irrational creatures, we promise to become animals, so that it will be less work for you to subdue us"? And would such a contract be legitimate and valid? But, indeed, they cry out to us, "Does anybody want this? Haven't we clearly and solemnly enough given you permission to think freely?" And let us grant this; let us forget their anxious attempts to rob us of our best rem- edies-forget with what diligence they sought to stain each new light with the old darkness11-Iet us not argue about words. Yes, you allow us to think, since you cannot prevent it. But you forbid us to communicate our thoughts. You do not challenge our inalienable right to free thought, but only our right to communicate what we freely thought. Let us be sure that we do not quarrel with you over nothing: do we orig- inally have such a right? Can we prove it? If we have a right to all that is not forbidden by the moral law, who could show that it is a violation of the moral law to communicate one's convictions? Who could show the right of another to forbid such communication, to regard it as an offense to his property? You tell me that the other can be disturbed in the enjoyment of his happiness based on his previous convictions, in his pleasant deceptions, in his sweet dreams. But how can he be disturbed as a result of merely my action, without listening to me, without paying attention to my speech, without comprehending it in his own form of thought. If he is disturbed, he disturbs himself; I do not disturb him. It is wholly the relation of giving to taking. Don't I have a right to share my bread with him, to let him warm himself at my fire, to let him kindle from my light? If the other doesn't want my bread, he should not stretch out his hand to receive it; if he doesn't want my warmth, he should not stand before my fire. I certainly do not have the right to force my presents on him. This right of free communication is based, however, not on a command, but only on a permission of the moral law. As a result, it is not in itself considered inalienable, and, further, the consent of the other, his accep- tance of my gifts, is required for the possibility of its exercise. Thus, it is certainly in itself conceivable that society could have abrogated such con- sent for everyone, that it could have made everyone of its members, on entrance into society, promise to make his convictions known to no one. Yet such a general renunciation, which does not take individual persons into consideration, cannot be meant that seriously. For do not others distribute the contents of their state-approved cornucopia with the greatest possible generosity, and isn't it merely on account of our stubborn insubordination that they have, until now, withheld the rarest of its treasures from US?12 But let us grant what we may not want to grant so unconditionally, that at the entrance into society we had a right to surrender our right to communica- tion: then this right of free giving has the right of free taking as a counter- part. The first cannot be alienated without, at the same time, alienating the second. Granted, you had a right to make me promise that I will share my bread with no one; did you then also have the right to compel poor starving people either to eat your wretched porridge or to die? Do you wish to cut the loveliest tie that links man to man, that makes spirits flow over into spir- its? Do you want to destroy the sweetest commerce of mankind, the free and happy giving and taking of the noblest things they have? Oh, why do I speak with feeling to your dried-out hearts? A cut and dried reasoning, which you cannot get around with all of your sophistries, shall prove to you the illegitimacy of your demand. The right to take freely all that is useful for us is a constituent of our personality. It belongs to our destiny [Bes- timmung] to make free use of all that lies open to us for our spiritual and moral development. Without this prerequisite, freedom and morality would be a useless gift for us. One of the richest sources of our instruction and education is the communication of mind to mind. We cannot give up the right to draw from this source without giving up our spirituality, our free- dom and personality. Consequently, we may not give it up; nor may the other give up his right to let us draw from it. Through the inalienability of our right to talce, his right to give also becomes inalienable. You yourselves know whether we impose our gifts. You know whether we confer offices and positions of honor on those who pretend to have been convinced by us; whether we exclude from offices and honors those who are not able to hear our lectures and read our writings; whether we publicly insult and turn away those who write against our principles. That nevertheless your writ- ings are used to wrap up ours;lS that nevertheless we have the brighter heads and the better hearts of the nations on our side, and you have the stupid ones, the hypocrites, the mercenary writers on yours-explain that to yourselves as well as you can.

#### This implicates educational institutions. For classes to be education not indoctrination they must draw students towards truth while maintaining mutual freedom.

Smith 1 summarizes and quotes Fichte. Lindsley Armstrong Smith. Johann Gottlieb Fichte's Free Speech Theory. American Communication Journal. Volume 4, Issue 3, Spring 2001. NP 4/10/17.

In regard to knowledge of the law, Fichte maintained that if people were to adhere to positive law then they must have access to the laws in order to have knowledge of it, and citizens should take it upon themselves to learn the laws in order to be good citizens. In an ultimate community, Fichte envisioned that laws were dependent on each citizen respecting the rights and freedoms of others. Thus, knowledge of the law and punishments constitute imperative information for citizens to obtain as soon as they became citizens of a state. This belief that citizens should have access to the law stems from Fichte's grounding belief that citizens agree to the laws when they agree to exist in a community with others. Thus, individuals' consent to become citizens in a community constitutes an accepted willingness to remain in the state under the laws of the state that they are required to follow.15 When there is a community of free beings, then there must also be a principle of rights to secure the freedom of people existing together. Fichte stated, "the conception of Rights involves that when men are to live in a community, each must so restrict his freedom as to permit the coexistence of the freedom of all others."16 Fichte fought to reform education to reflect these ideas of rights and advocated living together peacefully in one community. He thought that although the elders may be tainted, immoral, and follow habits that are not supportive of social, political, and moral progress; the nation could begin anew with the youth to build a rejuvenated national spirit. He believed that a revised educational system should reflect the freedoms of information and thought. Fichte's addresses to Germany served as a wake-up call for the German people and spirit of the nation. In these addresses, Fichte was seen as "an apostle of the gospel of liberty."17 He told the German people that people are free to the extent that they think they are free, and to answer the question "Are you free?" the questioner must look to his or her "inward being."18 It was Fichte’s contention that the person who outwardly appears free is, perhaps, only under a delusion of freedom. In his speeches, Fichte focused on the youth of the state, telling the German nation about the need to better educate the children. He wanted to encourage a love of learning so future generations would be stronger and more enlightened. He stated that the preservation of the German nation rested on educational reform that excited young Germans to understand a "moral world order."19 However, he also advocated education for all Germans, noting how the present system supported the education of a few, while the many were neglected. Moreover, he argued that people should strive for a noble life by being active and effective, and they should sacrifice themselves for the people as a whole. The Swiss educational reformer Johann Heinrich Pestalozzi, whose theories laid the foundation for modern education, influenced Fichte's ideas about the process of a pupil's education. This process includes the freedom of information and thought, which are foundations for effective communication. Perhaps Fichte's emphasis on education that is grounded in free information and thought is based on his more primary understanding that free thought is the most notable distinction between human and animal understanding. When information is freely acquired and critical thought is encouraged, another stage in the process of education emerges—the pupil should have the ability to express her/himself, for such expression "trains man, and raises [her] him out of darkness and confusion to clearness and definiteness."20 Through discussions of one's embryonic thoughts with other people, an awakening of the mind and intellectual clarity ultimately develops. The stage of awakening into consciousness was considered by Fichte as a stage that breeds confusion and, therefore, required the need for guidance from others to sort out conflicting or undeveloped theories. Unrestricted access to information provides such guidance. Fichte believed that the developing scholar looks to the future, but also must have access to inform ation that already exists to make stronger intellectual contributions to the existing body of information.21 Information from sources outside the individual, in turn, help facilitate cognitive functioning and provide social and moral progress for the state. Although Fichte's theories, like most philosophers, changed throughout his life, his views on the freedom of access to information appear to stand steadfast throughout his career.

### Contention 2: Transcendental Conditions of Legitimacy

The second contention is that preserving freedom of speech as accorded by the constitutional will is a necessary condition of legitimate public coercion.

#### First, the state must maintain legitimacy in its public function, be it as police or public university, subjecting private will to the common will. For example, if I restrict speech in public spaces I claim that the private will to speak is subject coercively to the public will.

Fichte 5. Foundations of Natural Right According to the Principles of the Wissenschaftslehre, ed. Frederick Neuhouser, tr. Michael Baur. Cambridge University Press, 2000;

The problem that we were left with, that we could not solve, and that we hope to solve through the concept of a commonwealth, was this: how to bring about a power that can enforce right (or what all persons necessarily will) amongst persons who live together. (I) The object of their common will is mutual security., but since, as we have assumed, persons are motivated only by self-love and not morality, each individual wills the security of the other only because he wills his own, willing the other’s security is subordinate to willing one’s own; no one is concerned whether the other is secure against oneself, except to the extent that the other’s security is the condition of one’s own security against the other. We can express this briefly in the following formula: Each person subordinates the common end to his private end. (This is what the law of coercion reckons with; [151] by linking the welfare of each in reality to the security of the welfare of all others, the law of coercion is meant to produce this reciprocity, this necessary conjunction of the two ends, in the will of each individual.) The will of a power that exercises the right of coercion cannot be constituted in this way; for, since the private will is subordinated to the common will only through coercive power, and since this coercive power is supposed to be superior to all other power, the private will of the coercive power could be subordinated to the common will only by its own power, which is absurd. Therefore, the coercive power’s private will must already be subordinated to and in harmony with the common will, and there must be no need to bring about such subordination and harmony, i.e. the private will of the coercive power and the common will must be one and the same; the common will itself, and nothing else, must be the private will of the coercive power, and this power must have no other particular and private will at all. (II) Thus, the problem of political right and (according to our proof) of the entire philosophy of right is to find a will that cannot possibly be other than the common will. Or, in accordance with the formula presented earlier (one that is more in keeping with the course of our investigation), the problem is: to find a will in which the private and the common will are synthetically united. We shall solve this problem in accordance with a strict method. Let us call the will we are seeking X. (a) Every will has itself (in the future) as an object. Everything that wills has self-preservation as its final end. The same goes for X; and so self-preservation would be the private will of X. - Now this private will is supposed to be one with the common will, which wills the security of the rights of all. Therefore, X, just as it wills itself wills the security of the rights of all. (b) The security of the rights of all is willed only through the harmonious will of all, through the concurrence of their wills. It is only in this regard that all agree; [152] for in all other matters their will is particular and directed to their individual ends. In accordance with our assumption of universal egoism (which the law of coercion presupposes), no individual, no single part of the commonwealth, makes this an end for himself; rather, only all of them, taken as a whole, do. (c) Thus X would itself be this concurrence of all. This concurrence, as surely as it willed itself would also have to will the security of the rights of all; for it is one and the same as that security.

#### However, only by preserving free expression can we maintain that required legitimacy.

#### Freedom of speech is a prerequisite for state legitimacy because the state must always maintain avenue of criticism against the state. By creating conditions of formal coercion that foreclose any such possibility the state would fail to orient itself towards right.

Smith 1 summarizes and quotes Fichte. Lindsley Armstrong Smith. Johann Gottlieb Fichte's Free Speech Theory. American Communication Journal. Volume 4, Issue 3, Spring 2001. NP 4/10/17.

With a representative government, Fichte supported a form of checks on the power of the government, without a division of powers. His solution was in the citizen-elected "Ephorate." The Ephorate, working with the government, was envisioned as the institution that would provide a checks system to guarantee the security of liberty. Fichte clarified this checks system and the necessity of free speech, which would help maintain peace by warning the government of potential uprisings. He stated: As soon as thinking is developed among the people, a power which observes and checks the action of the government is also developed. This power has two purposes to fulfill: To warn the government; and secondly, if that is of no avail, to call the people together. The first purpose it generally accomplishes, unless free speech is forbidden (which is a dangerous undertaking on the part of the government), and government usually listens to those warnings and obeys them. For no government dares to remain behind the people. But if government does not listen to them, the people are called together.46 Within this theory of a political system, if the government rule is intolerable to the people, Fichte advocated that the people should be able to rise up against the government by uniting together to judge the government and Ephorate. "In this case, the uprising is lawful both in form and in substance; for until insecurity and maladministration of the law oppress every citizen, each one takes care only of himself, and tries to get along as best he may."47 http://acjournal.org/holdings/vol4/iss3/articles/lsmith.htm (10 of 16) [6/1/01 10:28:28 AM] ACJ Article: Johann Gottlieb Fichte's Free Speech Theory Fichte, therefore, actively believed that if the government failed to listen to the people, the people should unite against it.48 However, as would be expected with Fichte's views of national unity, the basis for such unification should be grounded in the advancement and benefit of the nation. Fichte pointed to the French Revolution as an example of this act of revolution. Fichte's ultimate contract theory of government closely paralleled Locke's earlier idea of a governmental contract with the citizens; Hegel, like Fichte, also emphasized a social contract as a basis of right. With this contract theory, if the state did not fulfill its contractual bargain then the people had the legal right to rebel and overthrow the government that failed to protect their freedoms.

#### Subjugation of freedom of expression undermines the existence of a collective will – individuals can not agree to any policy that undermines contradicts freedom thought

Fichte 5 in the last year of the old darkness. Reclamation of the Freedom of Thought from the Princes of Europe, Who Have Oppressed It Until Now. Originally published anonymously in Danzig in the spring of 1793. The place and date of publication were given as "Heliopolis in the last year of the old darkness." NP 4/11/17. [bracketed for gendered anguage]

You tell us, on your honor, that these errors are long refuted. Then you must at least consider them refuted, since you will surely deal with us honestly. Would you not tell us, illustrious sons of the earth, how many nights spent awake in serious contemplation it has taken you to discover what so many men, free of your additional cares of rule, who dedicate their entire lives to such investigations, have not yet been able to discover? Or tell us if you found it without any reflection and without any instruction, but merely with the aid of your divine genius? Yes, we understand you, and we should long ago have presented your true thoughts instead of these investigations, which strike you and your minions as rather dry. You do not speak at all about what we others call truth or error-what do you care about this? Who would have wished to ruin the hope of the country through such melancholy speculations, in the very years when you were bracing yourself for the future cares of ruling? You have divided up human mental powers with your subjects. To them you have left thinking-surely, not to think for you, nor for themselves, for in your government that is not necessary. They may do it for their own amusement, if they wish, but without further consequences. You will will for them. This collective will that lives in you also which you want to be false is false. WIg you want this is not our question, nor is it yours. Your will, as such, is the only criterion of truth. Just as our gold and silver have value only by your mark, so it is with our concepts. If a profane eye is permitted a glance into the mysteries of the admin- istration of the state-which must require a deep wisdom since, as is well known, the best and the brightest of men are always raised to its helm- then allow me some timid remarks. If I do not flatter myself too much, I see some of the advantages you intend. Subjugating the bodies of men is an easy task for you. You can place feet in stocks, hands in chains. If necessary, you can, through the fear of hunger or of death, keep them from saying that which should not be said. But,after all, you cannot always be present with stocks or with chains or with torturers-even your spies cannot be everywhere-and such a wearisome regime would leave you no time for humane amusements. You must therefore think of a means to subjugate men more securely and reliably, so that even outside the stock and the chain they will breathe only when you signal them. Paralyze the first princi- ple of spontaneity in them, their thoughts, so that they no longer dare to think otherwise than you order them to, directly or indirectly, through their father confessor or through your religious edicts. Then they are completely the machine that you desire to have, and you can now use them as you please. In history, your favorite subject, I admire the wisdom of a number of the first Christian emperors. The truth changed with each new regime. During even one regime, if it lasted for a while, the truth had to be changed once or twice. You have grasped the spirit of these maxims, but you have not-forgive the beginner in your art if he should err-plumbed their depths. You allow one and the same truth to remain the truth for too long; this has been the mistake of more recent statesmanship. The people finally become accustomed to it and regard their habit of believing it as proof of its truth-whereas they should believe it purely and simply because of your authority. Therefore, imitate your worthy exemplars fully, you princes. Condemn today what yesterday you ordered believed, and authorize today what you yesterday condemned, so that the people never wean themselves from the thought that your will alone is the source of the truth. For exam- ple, too long have you willed one to equal three.18 They have believed you, and unfortunately have accustomed themselves to it to such an extent that they refuse you the gratitude you deserve and believe that they discovered it themselves. Avenge your authority! Order for once that one is equal to one-of course, not because the opposite contradicts itself, but because you will it. I understand you, as you see, but I am dealing with an obstreperous people who ask not about your intentions, but rather about your rights. What should I answer? It is an irksome question, this question of rights. I am sorry that here I must separate myself from you, with whom I have come this far so amicably. If you had the right to determine what we should accept as truth, you would have had to receive it from society, and society would have had to receive it through a contract. Is such a contract possible? Can society make it a condition that its members outwardly acknowledge certain proposi- tions?-not that they believe them, for society can never be certain of an inner conviction such as this, but only that they say, write, and teach noth- ing against it, which is to express the proposition as mildly as possible. Such a contract would be physically possible. If only those unimpeachable doctrines were specified firmly and sharply enough that it could be demon- strated incontrovertibly to anyone that he said something against them-and you realize, this is to demand quite a bit-then one could indeed punish him for it as an external action. But is it morally possible? That is, does society have a right to demand such a promise, and does the member have a right to make it? Wouldn't the inalienable rights of man be alienated in such a contract-something which must not happen in any contract and which makes the contract null and void? Free investigation of every possible object of reflection, in every possible direction and without limitation is, without a doubt, a human right. No one but the individual himself may determine his choice, his direction, his limits. We have proven this above. The only question here is whether the individual might not himself set such limits through a contract. He was permitted to set such limits on his rights to external actions, which are not commanded but only permitted by the moral law. Here nothing impels him to act but, at most, an inclination. Where moral law does not limit it, he can limit this inclination through a law that he imposes voluntarily. When, however, he arrives at the limits of reflection, something impels him to act, to overstep them, and .to move beyond them, namely, the essence of his reason, which strives for the Unlimited.19 It is a characteristic of reason to recognize no absolute limit; and through this it first becomes reason, and the individual first becomes a rational, free, independent being. As a result, unlimited investigation is an inalienable right of man. ￼A contract through which one were to set such a limit on oneself would not immediately mean the same thing as: I want to be an animal. But (given that the propositions privileged by the state were actually universally valid for human reason-which we have granted you, along with a host of other difficulties) it would mean this much: I want to be a rational being only up to a certain point. Once at this point, however, I want to be an irrational animal. If an inalienable right to investigate beyond those fixed conclusions is now proven, the inalienability of the right to investigate beyond them col18ctive?J is proven as well. For he who has the right to the end also has a right to the means if no other right stands in the way. Now one of the most excellent means of making progress is for one to be taught by others; therefore each has an inalienable right to accept freely given instruction without limit. If this right is not to be suspended, then the right of the other to give such instruction must also be inalienable. As a result, society has no right to demand or accept such a promise, for it contradicts an inalienable right of man. No member has a right to give such a promise, for it contradicts the personality of the other and the possi- bility that [s]he will act morally. Each who gives it acts contrary to duty and, as soon as he recognizes this, it becomes a duty to revoke his promise.

### Contention 3: The Teleological Demands of the Right

#### Because justice demands that the state be able to improve out into the future, we should not empower the state to decide what’s true once and for all by restricting alternative positions

**Arendt**, Hannah. The Promise of Politics. Copyright © 2005 by The Literary Trust of Hannah Arendt and Jerome Kohn. Pp 125 – 130. NP 4/21/17.

This understanding of speech, which also underlies the discovery by Greek philosophy of the autonomous power of the logos, already begins to fade in the experience of the polis, only to vanish entirely from the tradition of political thought. Rather early on, freedom of opinion—the right to hear the opinions of others and to have one’s own opinion heard, which for us still constitutes an inalienable component of political freedom—displaced this other version of freedom, which, though it does not contradict Introduction into Politics  Aren\_0805242139\_4p\_all\_r2.qxp 6/6/05 8:52 AM Page 125 freedom of opinion, is peculiarly associated with action and speech insofar as speech is an act. This freedom consists of what we call spontaneity, which, according to Kant, is based on the ability of every human being to initiate a sequence, to forge a new chain. Perhaps the best illustration within the arena of Greek politics that freedom of action is the same thing as starting anew and beginning something is that the word archein means both to begin and to lead. This twofold meaning manifestly indicates that originally the term “leader” was used for the person who initiated something and sought out companions to help him carry it out; and this carrying out, this bringing something that has been begun to its end, was the original meaning of the word for action, prattein. The same linkage between being free and beginning something is found in the Roman idea that the greatness of the forebears was contained in the founding of Rome, and that the freedom of the Romans always had to be traced to this founding—ab urbe condita—where a beginning had been made. Augustine then added the ontological basis for this freedom as experienced by the Romans by saying that man himself is a beginning, an initium, insofar as he has not always existed but first comes into the world by birth. Despite Kant’s political philosophy, which, via his experience of the French Revolution, became a philosophy of freedom, with its core centered around the concept of spontaneity, it is only in our own time that we have come to realize the extraordinary political significance of a freedom that lies in our being able to begin anew—probably precisely because totalitarian regimes have not been content simply to squelch freedom of opinion, but have also set about on principle to destroy human spontaneity in all spheres. This in turn is inevitable wherever the historical-political process is defined in deterministic terms as something that is preordained from the outset to follow      Aren\_0805242139\_4p\_all\_r2.qxp 6/6/05 8:52 AM Page 126 its own laws and is therefore fully knowable. But what stands in opposition to all possible predetermination and knowledge of the future is the fact that the world is daily renewed through birth and is constantly dragged into what is unpredictably new by the spontaneity of each new arrival. Only if we rob the newborn of their spontaneity, their right to begin something new, can the course of the world be defined deterministically and predicted. Freedom of opinion and its expression, which became determinative for the polis, differs from the freedom inherent in action’s ability to make a new beginning in that it is dependent to a far greater extent on the presence of others and of our being confronted with their opinions. Granted, action likewise can never occur in isolation, insofar as the person who begins something can embark upon it only after he has won over others to help him. In this sense all action is action “in concert,” as Burke liked to say; “it is impossible to act without friends and reliable comrades” (Plato, Seventh Letter, d); impossible, that is, in the sense of the Greek verb prattein, to carry out and complete. But this is in fact only one stage of action, although as the one that ultimately determines how human affairs turn out and how they appear, it is the most politically important stage. It is preceded by the beginning, the archein; but such initiative, which determines who will be the leader or archon, the primus inter pares, really depends on an individual and his courage to embark on an enterprise. A single individual, Hercules for instance, can of course ultimately act alone, if the gods help him to accomplish great deeds, and he needs other people only to ensure that news of his deeds will be spread. Although all political freedom would forfeit its best and deepest meaning without this freedom of spontaneity, the latter is itself prepolitical, as it were; spontaneity depends on organizational forms of communal life only to the extent that it is Introduction into Politics  Aren\_0805242139\_4p\_all\_r2.qxp 6/6/05 8:52 AM Page 127 ultimately the world that can organize it. But since, in the final sense, it arises from the individual, it can, even under very unfavorable conditions—an attack by a tyrant, for example—still preserve itself. Spontaneity reveals itself in the productivity of the artist, just as it does with everyone who produces things of the world in isolation from others, and one can say that no production is possible without first having been called into life by this capacity to act. A great many human activities, however, can proceed only at some remove from the political sphere, and this remove is indeed an essential condition for certain kinds of human productivity. This is not at all the case with the freedom to speak with one another, which is possible only in interaction with others. Free speech has always come in many different forms and with many meanings, and even in antiquity it had about it that odd ambiguity that still clings to it today. The key thing, however, both then and now, is not that a person can say whatever he pleases, or that each of us has an inherent right to express himself just as he is. The point is, rather, that we know from experience that no one can adequately grasp the objective world in its full reality all on his [her] own, because the world always shows and reveals itself to him from only one perspective, which corresponds to his [her] standpoint in the world and is determined by it. If someone wants to see and experience the world as it “really” is, [s]he can do so only by understanding it as something that is shared by many people, lies between them, separates and links them, showing itself differently to each and comprehensible only to the extent that many people can talk about it and exchange their opinions and perspectives with one another, over against one another. Only in the freedom of our speaking with one another does the world, as that about which we speak, emerge in its objectivity and visibility from all sides. Living in a real world and speaking with one another about it are basically one and the same, and to the Greeks, private life seemed “idiotic” because it lacked the diversity that comes with speaking about something and thus the experience of how things really function in the world.\* This freedom of movement, then—whether as the freedom to depart and begin something new and unheard-of or as the freedom to interact in speech with many others and experience the diversity that the world always is in its totality—most certainly was and is not the end purpose of politics, that is, something that can be achieved by political means. It is rather the substance and meaning of all things political. In this sense, politics and freedom are identical, and wherever this kind of freedom does not exist, there is no political space in the true sense. On the other hand, the means by which one can establish a political space and defend its existence are neither always nor necessarily political means. The means used to form and maintain a political space were defi- nitely not regarded by the Greeks, for example, as legitimately political—that is, as constituting a kind of action contained in the essence of the polis. They believed that the establishment of the polis requires a lawgiving act, but this lawgiver was not a citizen of the polis, and what he did was definitely not “political.” They likewise believed that whenever the polis dealt with other states, it no longer actually needed to proceed politically, but could instead use force—whether that was because its continuation was threatened by the power of another community or because it wished to make others subservient to it. In other words, what we today call “foreign policy” was not really politics for the Greeks in any real sense. We shall return to this issue later. What is crucial for us \*In Greek, idion means private, one’s own, peculiar.—Ed. Introduction into Politics  Aren\_0805242139\_4p\_all\_r2.qxp 6/6/05 8:52 AM Page 129 here is to understand freedom itself as political and not as a purpose, possibly the highest, to be obtained by political means, and to realize that coercion and brute force are always means for protecting or establishing or expanding political space, but in and of themselves are definitely not political. They are phenomena peripheral to politics and therefore not politics itself.

#### Second, Fichte’s transcendental condition is teleological. For the state to be legitimate it must orient itself towards the future possibility of a unified public will. The public will need not actually be unified, but the state must orient itself towards that possibility. However, restricting freedom of speech precludes that possibility.

Wood summarizes and quotes Fichte, Allen W. "Fichte's Philosophy of Right and Ethics," forthcoming in Günter Zöller (ed). The Cambridge Companion to Fichte. New York: Cambridge University Press. NP 4/15/17.

The quest for individual identity is a quest for rational norms by which to live, and these, Fichte holds, are knowable only through communication with others, which consists in mutual activity and passivity, affecting others and being affected by them (GA I/3:38-39, EW 156-157; I/5:209-212). The true vocation.(Bestimmung) of human beings within society is therefore "unification", or the endless approximation to unanimity and equality (GA I/3:40, EW 159-160). The process of attaining to this vocation is free communication. The unity of reason itself is social, constituted by the free and co-operative search for truth by rational beings. Accordingly, Fichte holds that the true human society will be attained only when people freely act on the same principles because through a process of communication they have reached rational agreement on these principles. A society based on authority or coercion is therefore imperfect, in fact, less than truly human (GA I/3:37, EW 157). The state, which is founded on coercion, is thus "a means for establishing the perfect society," but "like all human institutions which are mere means, the state aims at abolishing itself. The goal of all government is to make government superfluous" (GA I/3:36, EW 156). In the end, therefore, "the state will be abolished, as a legislative and coercive power" (GA I/5:226-227).